

CITY OF GRAND RAPIDS

July 18, 2011

Diana Lopez
Senior Editor – Sunshine Review

Re: Freedom of Information Act Request #2948-B

Dear Ms. Lopez:

This letter will respond to your Freedom of Information Act request above referenced as received by the Freedom of Information Act Coordinator on July 15, 2011. Your request is as follows:

"... Please note that for item 5 regarding cell phone use, we are seeking any cell phone reimbursement policy and the total number of city-issued cellular phones. We do not need invoices or specific amounts..."

The above-referenced portion of your request is granted. The documents that are responsive to your request regarding City cell phones are enclosed. The portion of your request involving "overtime hours for retiring personnel," is being processed. Thank you for your prompt submission of the deposit requested, in order to offset the costs associated with that project. We will forward those records to you as soon as our payroll office is able to compile them.

If you have questions regarding this matter, please do not hesitate to contact me.

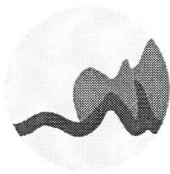
Very truly yours,

A handwritten signature in dark ink, appearing to read "Elizabeth R. White".

Elizabeth R. White
Deputy City Attorney
FOIA Coordinator

ERW/jlm

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CITY OF GRAND RAPIDS **ADMINISTRATIVE POLICY**

NUMBER: 84-02	DATE: 7/23/84
REVISIONS: 6/17/88; 11/7/00 (replaces old #84-02, #95-07, & #95-08); 6/13/08	
ISSUED BY: City Manager	SIGNED: <i>10/11/07 - J. Knutson</i>

**SUBJECT: ELECTRONIC COMMUNICATIONS, COMPUTER RESOURCES,
COMPUTER RELATED PROFESSIONAL SERVICES, AND RELATED
HARDWARE AND SOFTWARE: ACQUISITION AND USE POLICY**

PURPOSE:

The City of Grand Rapids relies on its computer network to conduct its business. The City has created this Administrative Electronic Communications Policy and by extension IT Best Practices to ensure that its computer resources are used properly by its employees, independent contractors, agents, and other computer users. This policy's intent is to establish procedures to protect the City against intentional or unintentional loss, misuse, or damage to the City's computer resources.

The rules and obligations described in this Policy apply to all users of the City of Grand Rapids computer network, wherever they may be located. Violations of this policy may result in disciplinary action, up to and including termination, as well as, civil and criminal liability. It is every user's duty to use the City of Grand Rapids' computer resources responsibly, professionally, ethically, and lawfully.

POLICY:

I. Computer Resources

Computer Resources refers to the City's entire computer network. Specifically, Computer Resources includes but is not limited to: host computers, file servers, application servers, communication servers, mail servers, fax servers, web servers, workstations, stand-alone computers, laptops, hand-held PDA computers, software, data files, and all internal and external computer and communications networks (for example, Internet, commercial online services, value-added networks, e-mail systems) that may be accessed directly or indirectly from our computer network.

The Computer Resources are the exclusive property of the City of Grand Rapids. Users are permitted access to the Computer Resources to assist them in the performance of their jobs. Use of the computer system is a privilege, and access may be revoked at any time by the City Manager.

II. Computer Hardware and Software Acquisition

- A. All computer-related hardware or software acquisitions exceeding \$2,500, or \$10,000 under approved term contracts, shall be coordinated with and reviewed by the City's Information Technology Department.
 - 1. The following procedures will be followed to advance the Information Technology Department's review and approval of the requests for computer-related equipment or services listed in III.A:
 - i. All computer-related bid specifications shall be coordinated with the Purchasing Office and copied to the Information Technology Department.
 - ii. The Information Technology Department shall evaluate all Requests for Proposals (RFPs) for professional technology related services and provide any written exceptions or technical counsel prior to release of the RFP.
- B. All acquisitions of computer-related hardware and software must meet the standards and guidelines set in the IT Computer Related Equipment & Services Guidelines policy.
- C. If the request for computer hardware or software is the direct result of or response to an ADA accommodation request, the Information Technology Department shall consult experts on computer applications for disabled individuals to assure appropriate utilization of proposed purchases.
- D. All software licenses purchased shall be coordinated with the Information Technology Department.

III. Computer Related Professional Service Acquisition

- A. All acquisitions of computer-related professional services exceeding \$2,500, or \$10,000 under approved term contracts, shall be coordinated with and reviewed by the City's Information Technology Department.
- B. The Information Technology Department shall evaluate each request with the requesting Department/Office Director or Executive Manager, as appropriate within 3 working days and respond with reservations, reject the request, or require additional information.

IV. Standards

In using or accessing the City of Grand Rapids Computer Resources, users must comply with the following provisions.

- A. Logon Banners

Logon banners will be used to provide notice to authorized users that use of the City's computer resources are subject to Administrative Policy 84-02. Acceptance of this policy will be required or the user will be denied access.

B. No Expectation of Privacy

No expectation of privacy. The computers and computer accounts given to users are to assist them in performance of their jobs. Except for certain privileged communications from or within the Law and Labor Relations Departments, users should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to the City of Grand Rapids and shall be used primarily for business purposes.

Waiver of privacy rights. By use of the City's computer network, users expressly waive any right of privacy in anything they create, store, send, or receive on the computer or through the Internet or any other computer network. Users consent to allowing personnel of the City of Grand Rapids, as authorized by the City Manager, to access and review all materials that users create, store, send, or receive on the computer, or through the Internet, or any other computer network. Users understand the City of Grand Rapids may use human or automated means to monitor use of its Computer Resources.

C. Acceptable Activities.

Research/Education. Communication with professional associations, other governments, universities, businesses, and individuals for facilitation of City business, research, and education efforts.

General Public. Distribution of information to the general public, when such information is provided in accordance with City policies and guidelines for the release of information and the Freedom of Information Act.

Incidental Communication. Exchanges of information among City employees and professional colleagues that facilitates work assignments and professional discussion in a work-related field of knowledge.

Internet Use. The City's computer resources are for business use. Internet access is authorized to individual employees by their Department Director. Those authorized to use the Internet may browse during meal times, scheduled break times or outside of work hours at the discretion of the Department Director.

D. Prohibited Activities.

Inappropriate or unlawful material. Material that is fraudulent, harassing, embarrassing, sexually explicit, racially offensive, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be downloaded, sent by e-mail, attachments, or other form of electronic communication (such as bulletin board systems, newsgroups, chat groups) or displayed on, or stored in the City's computers, unless it is necessary for the conduct of the person's responsibilities with the City and then only in that purpose.

Prohibited uses. The City's Computer Resources shall not be used for dissemination or storage of commercial or personal advertisements, solicitations, promotions, destructive programs (that is, viruses or self-replicating code), political or religious material, software designed to breach security (i.e. password crackers, Trojan horses, etc.) or any other unauthorized use.

Waste of computer resources. Users may not deliberately perform acts that waste Computer Resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to: sending mass mailings or chain letters, spending excessive amounts of time on the Internet, instant messaging, playing games, gambling, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic (i.e. Listening to unnecessary audio broadcasts, such as music, talk radio, etc.).

Communication of trade secrets. Unless expressly authorized by the Executive Office, sending, transmitting, or otherwise disseminating proprietary data, trade secrets, or other confidential information of the City of Grand Rapids is strictly prohibited. Unauthorized dissemination of this information may result in civil liability as well as criminal penalties under the Economic Espionage Act of 1996.

E. Passwords

Responsibility for passwords. Users are responsible for safeguarding their passwords for access to the computer system. Individual passwords should not be printed, stored online, or given to others. Users are responsible for all transactions made using their passwords. No user may access the computer system with another user's password or account, unless specifically authorized to do so in the case of an emergency.

Passwords do not imply privacy. Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users have an expectation of privacy in the material they create or receive on the computer system. The City of Grand Rapids has global passwords that permit access to all material stored on its computer system, regardless of whether that material has been encoded with a particular user's password.

F. Security

Accessing other user's files. Users may not alter or copy a file belonging to another user without first obtaining permission from the owner of the file. Ability to read, alter, or copy a file belonging to another user does not imply permission to read, alter, or copy that file. Users may not use the computer system to "snoop" or pry into the affairs of other users by unnecessarily reviewing their files and e-mail.

Accessing other computers and networks. A user's ability to connect to other computer systems through the network, modem, wireless communication or by any other communication does not imply a right to connect to those

systems or to make use of those systems unless specifically authorized by the operators of those systems.

Computer security. Each user is responsible for ensuring that use of outside computers and networks, such as the Internet, does not compromise the security of the City's Computer Resources. This duty includes taking reasonable precautions to prevent intruders from accessing the City's network without authorization and to prevent the introduction and spread of viruses.

G. Viruses

Virus detection. All City computers are required to have anti-virus software installed on them because of substantial damage that viruses can cause. Each user is responsible for taking reasonable precautions to ensure he or she does not introduce viruses into the City's network. All pre-authorized material received on floppy disk or other magnetic or optical medium and all pre-authorized material downloaded from the Internet or from computers or networks that do not belong to the City must be scanned for viruses and other destructive programs before being placed onto the computer system. Users should understand that their home computers and laptops may contain viruses. All information transferred from these computers to the City's network must be scanned for viruses.

H. Attorney-client communications.

E-mail sent from or to in-house counsel or an attorney representing the City of Grand Rapids should include this warning header on each page:
"ATTORNEY-CLIENT PRIVILEGED; DO NOT FORWARD WITHOUT PERMISSION."

I. Compliance with applicable laws and licenses.

In their use of Computer Resources, users must comply with all software licenses; copyrights; and all other state, federal, and international laws governing intellectual property and online activities.

V. **City Cellular Telephone Use.**

- A. Employees are expected to exercise good judgment while using City cellular telephones. The general use of City cellular telephones shall not be in lieu of other readily available, cost-effective means of communication.
- B. City cellular telephones are a public resource and shall not be misused for personal calls. Occasionally, personal calls may be necessary, but frequent use of City cellular telephones for personal calls may result in revocation of City cellular telephone use and/or disciplinary action. Employees are required to review their City cellular telephone bill monthly and reimburse the City for personal calls.
- C. City cellular telephones shall not be used to make personal calls to services which bill by the minute for information or services provided.

- D. City cellular telephones shall be kept on City property after working hours unless an employee has been assigned by his/her Department Director a 24-hour telephone for conducting City business.
- E. Department Directors shall provide for routine examination of their department's City cellular telephone bills to ensure proper use of City equipment.

VI. City Cellular Telephone Acquisition

- A. Department Directors requesting City cellular telephones shall forward a request to the Information Technology Department.
- B. The Information Technology Department shall make available to requesting departments a list of initial and recurring monthly cellular telephone charges.
- C. The Information Technology Department shall maintain an inventory of all City cellular telephones.
- D. When a City cellular telephone is lost or stolen, the Department Director shall notify the Information Technology Department immediately.
- E. When a City cellular telephone is decommissioned by a department, the Department Director shall notify the Information Technology Department and return the telephone to Information Technology to be redirected as needed.

VII. Other

Other policies applicable. In their use of Computer Resources and cellular telephones, users must observe and comply with all other policies and guidelines of the City, including but not limited to the following:

- City of Grand Rapids Computer Related Equipment and Services Guidelines Policy
- IT Best Practices
- City Cell Phone Guidelines
- City of Grand Rapids Rules and Regulations
- City of Grand Rapids Administrative Policy Manual
- Charter of the City of Grand Rapids
- All Labor Agreements
- All Applicable Departmental Rules and Procedures

Amendments and revisions. This Policy may be amended or revised from time to time as the need arises. Users will have access to all amendments and revisions.

No additional rights. This Policy is not intended to and does not grant users any contractual rights.